

Remarks

Claims 10-13 are under examination, claims 1-9 and 14-21 having been withdrawn from consideration.

Claims 10, 12, and 13 have been canceled herein.

Claim 11 has been amended herein. No new subject has been added by way of this amendment.

Response to rejection of claims 10 and 11 under 35 U.S.C. § 112, first paragraph, written description.

Examiner asserts that claims 10 and 11 lack adequate written description. In general, the Examiner is asserting that the claims are too broad for reciting “ePAD” protein in general. Although not necessarily agreeing with the reasoning of the Examiner, Applicants have canceled independent claim 10 and incorporated its subject matter into dependent claim 11, and have further amended the claim to specifically recite that the ePAD activity is in humans, that the ePAD being inhibited is the human ePAD having SEQ ID NO:1, and that the antibody is directed against the human ePAD. This amendment is supported by the claims and application as filed. Applicants submit that this amendment renders the written description rejection moot and requests that the rejection as to claim 10 (now canceled) and amended claim 11 be withdrawn.

Response to rejection of claims 10 and 11 under 35 U.S.C. § 102(a), anticipation.

Examiner has rejected claims 10 and 11 as allegedly anticipated by Herr et al. (WO 01/53339), asserting that the mouse sequence in Herr anticipates the broad claims 10 and 11.

Although not necessarily agreeing with the reasoning of the Examiner, as described above, Applicants have canceled independent claim 10 and incorporated its subject matter into dependent claim 11, and have further amended the claim to specifically recite that the ePAD activity is in humans, that the ePAD being inhibited is the human ePAD having SEQ ID NO:1, and that the antibody is directed against the human ePAD.

Applicants submit that the amendments render the anticipation rejection as to Herr moot and request that it be withdrawn.

Response to rejection of claim 10 under 35 U.S.C. § 102, anticipation

Claim 10 has been canceled herein, therefore the rejection as to this claim is now moot. Applicants request that the rejection as to this claim be canceled.

Response to rejection of claims 10, 12 and 13 under 35 U.S.C. § 103, obviousness

Claims 10, 12, and 13 have been canceled herein, therefore, the rejection as to these claims is now moot. Applicants request that the rejection be withdrawn as to canceled claims 10, 12, and 13.

Conclusion

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (434) 243-6103.

Respectfully submitted,



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